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SUBJECT: MEXICAN SENATE CHOOSES FRONT-RUNNER TO HEAD HUMAN  
RIGHTS COMMISSION

11. (SBU) Summary: The Mexican Senate's confirmation, on November 5, of Raul Plasencia Villanueva as the new President of Mexico's National Human Rights Commission (CNDH) is a welcome leadership change that could herald a more activist and transparent era for an important state-sponsored advocate for human rights. While the CNDH has made valuable contributions since 1990, providing detailed and authoritative information on specific human rights cases and usefully documenting systematic obstacles to progress, it has suffered under the direction of Jose Luis Soberanes, President of the Commission since it became autonomous in 11999. Soberanes, dogged by rumors of personal corruption and criticized for not addressing aggressively charges against the military, ends his term on November 15. We know Plasencia as a knowledgeable and careful defender of human rights, perhaps the best choice of the many who were vying for the post. End Summary.

Senate Chooses from a Crowded Slate...

12. (U) The Mexican Senate brought a contentious and somewhat controversial selection process to a close on November 5, with its choice of Raul Plasencia Villanueva to be the next President of the CNDH. The Senate's decision, late in October, to delay action and extend the confirmation deadline, had already elicited some expression of concern from the NGO community. The Senate's committees on Human Rights, Justice and Legislative Studies had released a list of eligible candidates, eliminating 13 out of 39 candidates in early October. NGOs then had two days to express their views regarding the process and eligible candidates, including an open forum discussion on October 15. The candidates were asked to appear before the Senate to explain why they wanted to become CNDH's new president and review their proposals for the CNDH's future work. In the final vote on November 5, Plasencia came out on top with 78 votes, well ahead of the other two finalists: Emilio Alvarez Icaza (32 votes) and Luis Raul Gonzalez (2 votes). Plasencia will be sworn in on November 10 in an inauguration ceremony before the Mexican Senate and will take office on November 17.

To Head Mexico's official Human Rights Watchdog

13. (U) CNDH was created in response to demands and pressure on Mexico's government to investigate crimes of the "dirty war" during the 1970s, with a mandate to investigate, report and recommend measures to address human rights concerns.

Despite several attempts at creating a state level organ, it was not until 1989 that Mexico's Secretariat of Government (SEGOB) created a General Human Rights Directorate as a subordinate office tasked with looking into allegations of human rights abuses. In 1990, under presidential decree, the Directorate was renamed the National Human Rights Commission (CNDH). CNDH remained a part of the SEGOB until 1999 when the Mexican Congress adopted a constitutional reform declaring it autonomous and freeing it from executive oversight. CNDH continues, however, to rely entirely on the Congress for its funding, which has been generous -- USD 72 million last year to perform its daily duties.

¶4. (U) CNDH is comprised of five major offices: the Presidency, the Consultant Council, its Technical Secretariat, the Executive Secretariat, and the General Visitorships. Of these offices, the two most important are the Consultant Council, which consists of ten academics appointed by the Senate to establish CNDH's guidelines, approve internal rules and oversee the budget (the CNDH president serves as the head of the Council), and the General Visitorships, of which there are five undersecretaries or "Visitors", who are responsible for investigating allegations of human rights abuses. Each Visitorship is assigned to investigate specific complaints, such as the dirty war, gender violence, trafficking in persons, migration, prison conditions, and indigenous affairs.

Front Runner Wins...

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¶5. (SBU) As the CNDH's current First Visitor -- the second highest position within the CNDH -- Plascencia has ten years of experience in the human rights arena. He has taught on human rights related topics at various universities across the country for more than 20 years, and is currently a professor at the prestigious National Autonomous University of Mexico (UNAM). Plascencia holds a Bachelor's, Master's, and Ph.D. degree in law. He is viewed as calm, prudent and knowledgeable, but has been criticized for being too close to current President Soberanes. Plascencia was clearly the front runner, with the most influential contacts and the support of 29 of 31 State Human Rights Commissions. He was also the favorite of Isabel Miranda Wallace, influential and well-known for her proactive role in solving the case of her kidnapped son. In the end, Plascencia's work in CNDH over the last ten years and his bi-partisan support among PAN and PRI legislators likely helped carry the day. To charges that his Presidency would represent an extension of Soberanes, leadership. Plascencia has countered with a commitment to seek strengthened relations with NGOs, as well as a restructuring and consolidation of CNDH activities.

Others Fall Short

¶7. (SBU) In Mexico it is not just the winners that tell the story. The other two finalists that fell short of the needed votes included:

-- Emilio Alvarez Icaza: One of the three finalists, Icaza finished a respectable second. Former President of the Human Rights Commission of Mexico City, Alvarez worked for CENCOS, an NGO dedicated to the protection of journalists. He holds a Bachelor's degree in psychology and a Master's in the social sciences. He was criticized severely by conservative groups for supporting the decriminalization of abortion in Mexico City, which was backed by the Democratic Revolutionary Party (PRD), but not by the United Left Faction of Andres Manuel Lopez Obrador (AMLO). His support for the initiative likely cost him crucial votes.

-- Luis Raul Gonzalez Perez: Currently UNAM's General Counsel, Gonzalez finished a very distant third. He served

as a CNDH official in charge of the Journalists, program and was former First Visitor of CNDH during the Jorge Carpizo and Jorge Madrazo administrations, when CNDH was created. He was also a prosecutor at the Office of the Attorney General (PGR) in charge of the investigation into the assassination of Institutional Revolutionary Party (PRI) presidential candidate Luis Donaldo Colosio. He is aligned with Carpizo, who is close to former PRI President Carlos Salinas. Gonzalez' poor showing at the hearing, at which Plascencia outshone him, cost him critical support.

#### Reaction to Plascencia's Appointment

18. (SBU) Opinions on Plascencia differ, with detractors worried about his close ties to Soberanes. Carlos Heredia from the Center for Investigation and Economics (CIDE) told Poloff that he thought Alvarez Icaza was the most independent and promising candidate and lamented his defeat. He said that CIDE would join other groups in monitoring Plascencia's performance to make sure that he implements his proposals and improves CNDH policy. Representatives from leading Human Rights NGO Fray Francisco de Vitorio Center, registered disappointment with the result, which they see as a continuation of the much criticized Soberanes era. On the other hand, more than 500 NGOs publicly expressed their support for Plascencia's presidency, encouraging him to strengthen CNDH's relationship with the NGO community.

#### Comment

19. (SBU) Plascencia has promised to present a number of reforms to Congress within the first 100 days of his tenure, including an initiative to strengthen CNDH's ability to enforce its recommendations. If he is successful he could help fulfill the unrealized potential in the CNDH, an

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important human rights institution without parallel in the rest of the continent. While it can produce comprehensive reports that are impressive, the CNDH is open to political pressures that often dilute its effectiveness. The new CNDH president will need to build closer ties with the broader human rights community and exert more pressure on government agencies to end impunity for abuses. It can also help to propose practical remedies for long-standing problems and promote needed constitutional reform. In the past, CNDH investigators have been resourceful in documenting abuses and, in some instances, proactive in promoting structural reforms. Plascencia can help build a CNDH that works constructively with government and the NGO community on practical ways to reinforce civil society and strengthen the Mexican Government's commitment to addressing human rights problems.

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